

REMARKS

The following are applicant's response to issues raised in the Office Action.

Claims 1-19 are pending. Claims 1, 10-12, 15-16, and 18-19 have been amended.

Claims 2, 13-14 and 17 have been canceled. Applicants respectfully request entry of this amendment in order to move the instant application toward allowance or alternatively, to place the application in better form for appeal.

Drawing Objections

The drawings were objected to as not showing cap 25 and connection 94 to inverter 90. The specification has been amended to remove the connection 94 to inverter 90. Figure 2 has been amended to add cap 25. Withdrawal of the drawing objection is respectfully requested.

Rejection under 35 USC 103

Claims 1-19 were rejected under 35 USC 103a over Seffernick (U.S. patent no. 5,966,117) in view of Saarmaa (U.S. patent publication no. 2001/0005108) and further in view of Woddard (U.S. patent no. 6,259,188) and further in view of Barber (U.S. patent no. 5,973,670). Seffernick discloses a z-axis pointing stick. Saarmaa discloses an inertial audio unit. Woddard discloses a piezoelectric vibrational and acoustic alert device. Barber discloses a tactile feedback controller for computer cursor control device.

None of the cited references teach, disclose or suggest either alone or in combination, as in amended claim 1, a control circuit that senses a z-axis output signal and provides a control signal to cause the piezo-electric material to vibrate in response to the z-axis output signal. The piezo-electric material adapted to vibrate for a pre-determined period of time.

While, Seffernick does disclose a z-axis output cursor control device, it does not disclose a control circuit to sense the z-axis output signal and provide a control signal to the piezo-electric material. The Saarmaa reference does not show operating the piezo-electric material for a pre-determined period of time.

The cursor control device of the present invention is advantageous over prior art devices, since it can sense the depression of a pointing stick (z-axis click) and give a feedback to the user by vibrating cursor control device for pre-determined period of time such that the user is aware of his or her selection.

There is no basis for making the suggested combination. As the court of Appeals for the Federal Circuit has set forth, even if a prior art reference could be modified to construct an applicant's invention, the modification is not obvious unless there is a suggestion in the prior art. *In re Laskowski*, 10 USPQ2d 1397, 1398 (Fed. Cir. 1989). There is no suggestion to modify Seffernick to include a control circuit that senses a z-axis output signal and provides a control signal to cause the piezo-electric material to vibrate in response to the z-axis output signal. The piezo-electric material being adapted to vibrate for a pre-determined period of time.

Dependent claims 3-9 depend from independent claim 1 and add additional patentable features and are allowable therewith.

None of the cited references teach, disclose or suggest either alone or in combination, as in amended claim 10, a computer input system that includes software for determining a condition that requires tactile feedback and provides a predefined electrical signal to the piezo-electric material in the cursor control device. The software further adapted to cause the piezo-electric material to vibrate for a predetermined period of time.

While, Barber discloses activating a tactile generator when a cursor moves over a certain object. It does not disclose vibrating the piezoelectric material for a pre-determined time.

If the combination of Barber and Seffernick was made, it would fail to activate the piezoelectric material for a pre-determined period of time.

There is no basis for making the suggested combination. There must be a showing of some objective teaching in the prior art or that knowledge generally available to one of ordinary in
5 the skill of the art would lead that individual to combine the relevant teachings of the references. *In Re Fine*, 837 F2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed Cir 1988) (citing *In Re Lahu*, 747 F2d 703, 705, 223 USPQ 1257, 1258 (Fed Cir 1988). A rejection based on §103 must rest on a factual basis, with the facts being interpreted without hindsight reconstruction of the invention from the prior art. In making this evaluation, there is an initial burden of supplying the factual basis for
10 the rejection advanced. One may not, because of doubt that the invention is patentable, resort to speculation, unfound assumption or hindsight reconstruction to supply deficiencies in the factual basis. See *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967).

Dependent claims 11-12 and 15-16 depend from independent claim 10 and add additional patentable features and are allowable therewith.

None of the cited references teach, disclose or suggest either alone or in combination, as in amended claim 18, a tactile feedback for a cursor control device that includes an input suppression module coupled to the cursor control device. The input suppression module being adapted to deactivate the cursor control device for a pre-determined period of time in response to detecting the electrical signal generated by the control device.

The cited references do not show an input suppression module.

The cursor control device of the present invention is advantageous over prior art devices, since it can turn off the cursor control during vibration of the cursor control device. This prevents the cursor from jumping around the screen during the application of tactile feedback.

If the proposed combination of references were made, it would still fail to have an input suppression module.

None of the cited references teach, disclose or suggest either alone or in combination, as in amended claim 19, a method for providing tactile feedback that includes disabling the cursor control device when a predefined condition is sensed. Activating the piezo-electric assembly to provide mechanical vibrations to the cursor control device for a predetermined period of time and enabling the cursor control device after the predetermined period of time.

The cited references do not show disabling the cursor control device during application of vibration and then enabling the cursor control device.

The cursor control device of the present invention is advantageous over prior art devices, since it can turn off the cursor control during vibration of the cursor control device. This prevents the cursor from jumping around the screen during the application of tactile feedback.

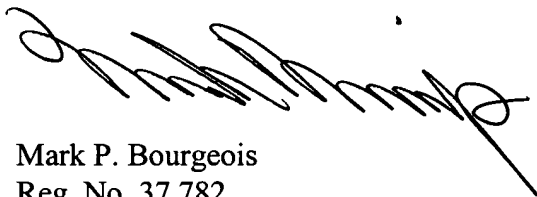
If the proposed combination of references were made, it would still fail to disable the
cursor control device in the claimed manner.

Withdrawal of the 103 rejection is respectfully requested.

A notice of allowance is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Mark P. Bourgeois', with a long horizontal flourish extending to the right.

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